

BuchalterNemer
A Professional Law Corporation

55 SECOND STREET, SUITE 1700, SAN FRANCISCO, CALIFORNIA 94105-3493
TELEPHONE (415) 227-0900 / FAX (415) 227-0770

File No.: C5732.0019
Direct Dial Number: (415) 227-3655
Email Address: pbales@buchalter.com

February 19, 2016

Judge Frederic Block
United States District Court, Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: *Ramesh Sarva, et al., v. Comerica Bank* Case No. 1:15-CV-00219 FB RER

Defendant Comerica Bank (“Comerica”) hereby withdraws its pending Motion for Summary Judgment. The motion is withdrawn in light of Plaintiffs’ Amended Complaint (Docket Entry No. 40), which specifies that Comerica is sued solely in its capacity as the trustee of the six trusts identified in paragraph 4 of the Amended Complaint. The withdrawal of the Motion for Summary Judgment is not intended as a waiver of any substantive defenses or procedural rights or remedies otherwise available to Comerica.

Respectfully submitted,

BUCHALTER NEMER
A Professional Corporation

By /s/ Peter H. Bales
Peter H. Bales

cc: Jason Robert Harrington and Bernard Ouziel, counsel for Plaintiffs